

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

**In re: SUBPOENA FOR INSPECTION  
AND SAMPLING OF PREMISES  
OWNED BY NON-PARTIES IN THE  
MATTER OF:**

**STATE OF OKLAHOMA, et al.  
Plaintiffs**

**vs.**

**TYSON FOODS, INC., et al.,  
Defendants.**

**Case No. 4:05-CV-00329-TCK-SAJ**

**POULTRY GROWERS' UNOPPOSED MOTION FOR LEAVE TO FILE REPLY  
BRIEF IN EXCESS OF TEN PAGES**

The non-parties generally referred to as “Poultry Growers”<sup>1</sup> respectfully request leave to file a Reply in Support of their Motion to Quash Subpoenas for Inspection and Sampling of Premises Owned by Non-Parties, or Alternatively, Motion for Protective Order and Brief in Support (the “Motion”) in excess of the 10 page limit imposed by Local Rule LCvR 7.2(h). In support of this Application, the Poultry Growers show the Court as follows:

1. On May 1, 2006, the Poultry Growers filed the Motion. See Docket No. 493. On May 8, 2006, the Attorney General of the State of Oklahoma (the “Plaintiff”) filed his Response in Opposition to the Motion (“Response”). See id. at No. 566.

2. The Response raises a number of complex legal arguments that will require more than ten (10) pages to address. In addition, several significant factual developments have

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<sup>1</sup> These non-parties are: Bill R. Anderson; Steve Butler, allegedly d/b/a Green Country Farms; Ren Butler and Georgia Butler; Julie Anderson Chancellor; Roger D. Collins; Franklin A. Glenn and Kenneth D. Glenn and Sondra D. Glenn; Juana Loftin; Larry McGarrah and Priscilla McGarrah; Jim L. Pigeon and Michele R. Pigeon; Joel J. Reed and Rhonda Reed and Caleb Reed and Cory Reed; W. A. Saunders and Bev Saunders; Robert V. Schwabe, II; and David R. Wofford and Robin L. Wofford.

occurred since the Poultry Growers filed the Motion that raise new issues that effect the Poultry Growers' legal position with respect to the Plaintiff's Subpoenas. The Poultry Growers respectfully urge that more than 10 pages are needed to address these issues and to fully appraise the Court of the same.

3. The Poultry Growers therefore request that the Court enter an Order granting them leave to file a Reply Brief that exceeds the 10 page limit. The Poultry Growers will limit such Reply to no more than 20 pages.

4. Counsel for the Plaintiff has been contacted and does not object to the Poultry Growers' request to exceed the 10 page limit.

**WHEREFORE**, the Poultry Growers respectfully request that the Court enter an Order granting them leave to file a Reply Brief in excess of the 10 page limit imposed by Local Rule LCvR 7.2(h), and to file a brief not to exceed 20 pages.

Respectfully submitted,

s/ D. Kenyon Williams, Jr.

Michael D. Graves, OBA #3539

D. Kenyon Williams, Jr., OBA #9643

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**ATTORNEYS FOR POULTRY GROWERS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of May, 2006, a copy of the above and foregoing was mailed via facsimile to the following counsel of record:

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**William H. Narwold**

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and that an electronic version of the same was sent this date to the following:

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/s/D. Kenyon Williams, Jr.  
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